

No. **2018-5729**

**Official Order  
of the  
Texas Commissioner of Insurance**

**Date: NOV 30 2018**

**Subject Considered:**

National Council on Compensation Insurance Filing  
*Item R-1414-A - Amendment to Item R-1414 - Revisions to Retrospective Rating  
Plan Manual Appendix B and all Related Rules and Endorsements*

**General remarks and official action taken:**

The subject of this order is the adoption of amendments to the National Council on Compensation Insurance (NCCI) *Retrospective Rating Plan Manual for Workers Compensation and Employers Liability Insurance (Retrospective Rating Plan Manual)*.

**Background**

NCCI filed *Item R-1414-A - Amendment to Item R-1414 - Revisions to Retrospective Rating Plan Manual Appendix B and all Related Rules and Endorsements* (SERFF Tracking No. NCCI-131545137, June 19, 2018) to amend the NCCI *Retrospective Rating Plan Manual*.

The following findings of fact and conclusions of law are adopted:

**Findings of Fact**

1. NCCI filed *Item R-1414-A* on June 19, 2018, using the procedure adopted in Commissioner's Order No. 3142 for revisions to NCCI's workers' compensation manuals.
2. *Item R-1414-A* is a national filing to amend *Item R-1414* by updating the values for the following tables in NCCI's *Retrospective Rating Plan Manual*:

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- a) Appendix A—Table of Expected Claim Count Groups and Table of Policy Excess Ratio Ranges;
  - b) Appendix B—Table of Aggregate Loss Factors; and
  - c) Appendix D—Basic Premium Factor Calculation Example.
3. The filing and all related exhibits are incorporated by reference into this order.
  4. On September 26, 2018, TDI published notice of the filing on its website and distributed notice of the filing to electronic news subscribers.
  5. TDI did not receive comments or hearing requests by the comment deadline.
  6. The changes in *Item R-1414-A* apply to new and renewal workers' compensation policies effective on and after January 1, 2019.

### Conclusions of Law

1. TDI has jurisdiction over this matter under Insurance Code Article 5.96 and Sections 2051.002, 2051.201, 2052.002, 2053.002, 2053.011, 2053.051, 2053.053, and 36.001.
2. TDI gave notice in compliance with Commissioner's Order No. 3142.
3. The amendments to the NCCI Basic Manual are consistent with Insurance Code Article 5.96 and Chapter 2053.

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## Order

It is ordered that NCCI's filing, *Item R-1414-A - Amendment to Item R-1414 - Revisions to Retrospective Rating Plan Manual Appendix B and all Related Rules and Endorsements*, for new and renewal workers' compensation policies effective on and after January 1, 2019, is approved.

Kent C. Sullivan  
Commissioner of Insurance

By: /s/ Doug Slape  
Doug Slape  
Chief Deputy Commissioner  
Commissioner's Order No. 2018-5528

Recommended by:

/s/ Mark Worman  
Mark Worman, Deputy Commissioner,  
Regulatory Policy Division

Reviewed by:

/s/ Chris Ekoh  
Chris Ekoh, Staff Attorney,  
Office of Policy Development Counsel